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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schutt et al. )  
Serial No. : 09/218,213 )  
Filed : December 22, 1998 )  
For : Stabilized Preparations for )  
Use in Nebulizers )  
Examiner : Unknown )  
Group Art Unit : 1615 )

I hereby certify that this correspondence  
and all marked attachments are being  
deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to: Commissioner of Patents and  
Trademarks, Washington, D.C. 20231, on

April 16, 1999

*Christopher A. Dayton*  
Christopher A. Dayton, Reg. No. 35114

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

APR 30 1999

GROUP 18

Sir:

Transmitted herewith is a Preliminary Amendment (7 pages) in the above-identified application. The fee has been calculated as shown below:

CLAIMS AS FILED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE
Total Claims	50	MINUS 20	=30 x	\$9	\$270.00
Independent Claims	5	MINUS 3	=2 x	\$39	\$78.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$348.00

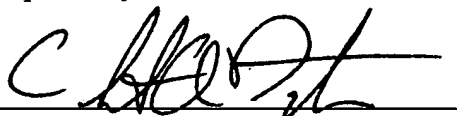
Appl. No. : 09/218,213  
Filed : December 22, 1998  
Transmittal, Page 2

Enclosed are:

- (X) An Amendment (7 pages).
- (X) Please charge Deposit Account No. 01-1008 in the amount of \$348.00 for the additional claims fee.
- (X) If for some reason Applicant has not paid a sufficient fee for this response to prevent the abandonment of this application, please consider this authorization to charge our Deposit Account No. 01-1008 for any fee, which may be due. Similarly, please credit any overpayment to Deposit Account No. 01-1008. A duplicate copy of this sheet is enclosed.
- (X) A return postcard.

Dated: 4/16/99

Respectfully submitted,

  
\_\_\_\_\_  
Christopher A. Dayton  
Registration No. 35,114  
Attorney of Record.



ELIA.171CPC1

PATENT

#6A  
LB  
3/4/99

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Christopher A. Dayton, Reg. No. 35,114

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to examination, Applicants respectfully request that the above-referenced application be amended as follows:

IN THE CLAIMS:

Please cancel pending claim 1 and insert therefor the following new claims 2-51:

2. A method for the pulmonary delivery of one or more bioactive agents comprising the steps of:
- providing a stabilized respiratory dispersion comprising one or more bioactive agents wherein the respiratory dispersion comprises a fluorochemical continuous phase;
- nebulizing said respiratory dispersion with a nebulizer to provide an aerosolized medicament; and

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01 FC:203 270.00 CH  
02 FC:202 78.00 CH

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